

# CCDA Bill Tracking Report

## Tuesday, May 12, 2015

### AB 52

(Gray D) Public accommodations: construction-related accessibility claims.

Current Text: Introduced: 12/1/2014

Introduced: 12/1/2014

Status: 4/21/2015-In committee: Set, first hearing. Hearing canceled at the request of author.

Location: 1/22/2015-A. JUD.

Summary: Would provide that a defendant's maximum liability for statutory damages in a construction-related accessibility claim against a place of public accommodation is \$1,000 for each offense if the defendant has corrected all construction-related violations that are the basis of the claim within 180 days of being served with the complaint and the defendant demonstrates that the structure or area of the alleged violation was determined to meet standards or was subjected to an inspection, as specified.

### AB 54

(Olsen R) Public accommodations: construction-related accessibility standards: tax credit.

Current Text: Amended: 4/22/2015

Introduced: 12/1/2014

Last Amend: 4/22/2015

Status: 4/23/2015-Re-referred to Com. on REV. & TAX.

Location: 4/23/2015-A. REV. & TAX

Summary: The Personal Income Tax Law and the Corporation Tax Law, in specified conformity to federal law, allow a credit against the taxes imposed by those laws, to eligible small businesses for 50% of eligible access expenditures, which are defined as those amounts paid or incurred by the taxpayer to comply with the Americans With Disabilities Act of 1990, as provided, not to exceed \$250. This bill, for taxable years beginning on or after January 1, 2016, would include as an eligible access expenditure any amount paid or incurred by a taxpayer to receive an inspection by a CASp.

### AB 1342

(Steinorth R) Disability access.

Current Text: Amended: 4/28/2015

Introduced: 2/27/2015

Last Amend: 4/28/2015

Status: 4/29/2015-Re-referred to Com. on APPR.

Location: 4/29/2015-A. APPR.

Summary: Would require applicants for CASp certification or renewal to additionally provide to the State Architect information about the city, county, or city and county in which the applicant intends to provide or has provided services, and would require the Division of the State Architect to post that information on its Internet Web site. This bill contains other related provisions and other existing laws.

### AB 1521

(Committee on Judiciary) Disability access: construction-related accessibility claims.

Current Text: Amended: 5/6/2015

Introduced: 3/10/2015

Last Amend: 5/6/2015

Status: 5/7/2015-Re-referred to Com. on JUD.

Location: 5/7/2015-A. JUD.

Calendar: 5/12/2015 9 a.m. - State Capitol, Room 4202 ASSEMBLY JUDICIARY, MARK STONE, Chair

Summary: Current law requires an attorney to provide a written advisory with each demand letter or complaint, as defined, sent to or served upon a defendant or potential defendant for any construction-related accessibility claim, as specified. This bill would require the above-described advisory to include additional information regarding the rights and obligations of business owners and commercial tenants, as specified. In addition to the written advisory, the bill would require an attorney to provide a defendant or potential defendant of a construction-related accessibility claim with an answer form developed by the Judicial Council, which would allow a defendant to respond in the event

a complaint is filed, as specified.

**SB 67**

**(Galgiani D)** Disability access: statutory damages.

Current Text: Introduced: 1/7/2015

Introduced: 1/7/2015

Status: 5/7/2015-May 12 set for first hearing canceled at the request of author.

Location: 1/15/2015-S. JUD.

Summary: Would except a small business from statutory damage liability in connection with a construction-related accessibility claim, and would instead limit recovery to injunctive relief and reasonable attorney's fees as deemed appropriate by the court. The bill would also extend the period for correcting construction-related violations that are the basis of a claim from 60 days to 120 days of being served with the complaint, for purposes of reducing a defendant's minimum statutory damage liability to \$1000.

**SB 251**

**(Roth D)** Civil rights: disability access.

Current Text: Amended: 5/4/2015

Introduced: 2/18/2015

Last Amend: 5/4/2015

Status: 5/8/2015-Set for hearing May 12. Set for hearing May 13 in GOV. & F. pending receipt.

Location: 5/7/2015-S. JUD.

Calendar:

5/12/2015 1:30 p.m. - John L. Burton Hearing Room (4203) SPECIAL ORDER AT 3:00

P.M. SENATE JUDICIARY SPECIAL ORDER, JACKSON, Chair

5/13/2015 9:30 a.m. - Room 112 SENATE GOVERNANCE AND FINANCE, HERTZBERG, Chair

Summary: Current law requires certified access specialists (CASps), upon completion of an inspection of a site, to issue a written inspection report for the site, as specified. Current law provides, upon being served with a summons and complaint asserting a construction-related accessibility claim, that a defendant may file a request for a court stay and early evaluation conference in the proceedings, as specified. This bill would provide that a business is not liable for violating a construction-related liability standard if the business is inspected by a CASp site and the violation is corrected within 90 days of receiving the above-described written inspection report from a CASp.

**SB 624**

**(Anderson R)** Accessible state technology.

Current Text: Introduced: 2/27/2015

Introduced: 2/27/2015

Status: 5/1/2015-Set for hearing May 12.

Location: 3/12/2015-S. G.O.

Calendar: 5/12/2015 9:30 a.m. - John L. Burton Hearing Room (4203) SENATE GOVERNMENTAL ORGANIZATION, HALL, Chair

Summary: Would establish, in the Government Operations Agency within the Department of Technology, the Office of Accessible Technology to monitor and facilitate compliance of state electronic and information technology with the requirements of certain state and federal laws relating to the accessibility of technology. This bill contains other related provisions and other existing laws.